



The City of Oklahoma City
PERSONNEL POLICIES

Adopted: December 13, 2005



The City of Oklahoma City Personnel Policies

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ARTICLE 700 EMPLOYEE BENEFITS

SECTION 701 - SCOPE

This article applies only to full-time employees unless otherwise specifically provided.

Leave usage must be scheduled and approved in advance by the supervisor unless otherwise provided, and is subject to departmental and divisional policies. (Refer to Section 104.02)

SECTION 702 - HOLIDAYS

702.01 The following public holidays shall be observed:

New Year's Day	Veteran's Day or Armistice Day
Martin L. King, Jr.'s Birthday	Thanksgiving Day
Memorial Day	Day following Thanksgiving
Independence Day	Christmas Eve
Labor Day	Christmas Day

702.02 Any public holiday which occurs on Sunday shall be observed on the following Monday, and any occurring on Saturday shall be observed on the preceding Friday, or as directed by the City Manager upon approval by the City Council.

702.03 A non-exempt employee required to work on a holiday shall be compensated at two times the regular hourly rate of pay except as covered by collective bargaining agreements. An exempt employee required to work on a holiday may have another day off in lieu of the observed holiday.

702.04 An employee must be in a paid status the last regularly scheduled work day before and the first regularly scheduled work day after the holiday to receive compensation for the holiday.

SECTION 703 - VACATION LEAVE

703.01 *Eligibility* - A full-time employee shall be eligible for vacation leave. Temporary, new-hire probationary, part-time, and/or seasonal employees, including school crossing guards, are not eligible for vacation leave.

703.02 *Re-employment* - Termination shall constitute an interruption of continuous service, and upon re-employment, prior service shall not count toward eligibility for vacation leave accrual, unless required by court order, settlement or arbitration ruling.

703.03 *Rate of Accrual* - Vacation leave shall accrue as follows:

- (a) An employee with zero (0) through six (6) months of service will not accrue vacation leave. However, upon successful completion of six (6) months of

creditable service, an employee shall be credited with 48 hours and 6 minutes of vacation leave.

- (b) An employee with six (6) months to five (5) years of creditable service: 3 hours 42 minutes per pay period; maximum accrual of 250 hours.
- (c) An employee with five (5) to ten (10) years of creditable service: 4 hours 18 minutes per pay period; maximum accrual of 250 hours.
- (d) An employee with ten (10) to fifteen (15) years of creditable service: 5 hours 18 minutes per pay period; maximum accrual of 400 hours.
- (e) An employee with more than fifteen (15) years of creditable service: 6 hours 12 minutes per pay period; maximum accrual of 400 hours.

The date for computing vacation leave accruals (leave anniversary date) shall be the date of full-time employment. New hire probationary employees are not allowed to use vacation leave until successful completion of 6 months of creditable service with the City.

703.04 *Accrual During Absence* - Vacation leave shall not accrue during any leave exceeding two consecutive bi-weekly payroll periods including, but not limited to family and/or medical leave (FMLA), personal leave of absence, sick leave, injury leave, bereavement leave, special leave, administrative leave or vacation leave.

703.05 Vacation leave must be scheduled in advance and approved by the employee's supervisor. No employee shall be entitled to use more vacation leave than accrued.

SECTION 704 - BONUS DAYS

704.01 If an employee does not use more than twenty-four (24) hours of sick leave during the leave anniversary year, the employee will be awarded an additional sixteen (16) hours of vacation leave on the leave anniversary date or as specified in the appropriate collective bargaining agreement.

704.02 An employee shall receive an additional four (4) days (32 hours) bonus vacation leave on their tenth (10) anniversary date and each tenth (10) anniversary of consecutive service thereafter.

704.03 Vacation accrual under the provisions of this section shall not exceed the maximum leave balance established by length of service.

SECTION 705 - PERSONAL LEAVE OF ABSENCE

705.01 A personal leave of absence is considered a privilege. In granting a leave of absence, the employee's service record and circumstances requiring the leave will be considered. A leave of absence is granted with the expectation that the employee will return to regular employment. A Department Director may authorize a maximum of thirty (30) days personal leave of absence. Leaves of absence of more than thirty (30) days, up to a maximum of six (6) months, must be recommended in advance by the Department Director and the Personnel Director and approved by the City Manager. A personal leave of absence is unpaid leave. An employee may request use

of his/her accrued leave time, excluding sick leave, while on an approved personal leave of absence. A copy of an approved request for a personal leave of absence will be placed in the employee's file in the Personnel Department.

705.02 An employee who is medically unable to return to work after the 12 week FMLA period has expired, and is unable to perform the essential functions of his/her position with or without restrictions, may apply for a leave of absence for up to an additional three (3) months through his/her department director. The employee does not have the right to restoration to his/her position after the twelve (12) weeks FMLA entitlement has expired, except where the employee's job injury leave exceeds the FMLA period. In that instance, the employee will be restored according to applicable injury leave policies. An employee whose medical leave exceeds 12 weeks will be returned to the same or similar position, only if available. If the same or similar position is not available, the employee may be terminated.

705.03 Personal leaves of absence of more than thirty (30) calendar days will result in an adjustment in the employee's retirement eligibility and salary review dates. Such dates will be adjusted one day for each day of absence.

SECTION 706 - BEREAVEMENT LEAVE

706.01 A Department Director may authorize a maximum of three (3) work days off with pay in the event of a death in the family of the employee or employee's spouse. Family, for the purposes of this section, is defined as spouse, parents, step-parents, children, step-children, brothers, sisters, step-brothers, step-sisters, grandparents, and grandchildren of the employee or the employee's spouse.

706.02 The Department Director or Personnel Director may investigate the use of bereavement leave, and may require the employee to provide proof of the death. Abuse or misuse of bereavement leave shall be cause for appropriate disciplinary action up to and including termination. (Refer to Section 1203.08)

SECTION 707 - MILITARY LEAVE

707.01 All actions with regard to employee's military service or training shall conform to applicable federal and state statutes. Approved military leave shall be counted toward continuous service. Employees called to active military duty may also be entitled to pay for the difference between the military pay and regular rate of pay. (Refer to PSB 05-5, as may be amended, for guidelines on pay for employees on active military duty.)

707.02 An employee of the City who is a member of the military is entitled to thirty (30) working days of military leave per federal fiscal year (October 1 through the following September 30).

707.03 Employees who are ordered to active military service shall provide a copy of such orders to the employee's supervisor as soon as practicable.

SECTION 708 - JURY SERVICE/COURT LEAVE

708.01 An employee required by due process of law to render jury service in any court of law or called to be present on behalf of the City in court service or called pursuant to a subpoena

to be present as a non-party in interest in court service during normal working hours shall receive their regular pay for such period, and the time spent in such service shall be reported as Jury Service or Court Leave. Time off for such service shall be granted only for the actual period of required service and the supervisor may require proof of the actual hours of service.

708.02 An employee compensated for jury duty or other court service cannot receive both compensation and their regular pay from the City. The employee must remit the court service payment or jury fee to the City Treasurer, or at their option, not be entitled to their regular pay for those hours absent from regular duty. The employee is not required to remit to the City Treasurer that portion of the compensation from the court that was properly documented for expenses.

SECTION 709 - VOTING LEAVE

An employee who is a registered voter shall be granted up to two (2) hours to vote during the period when the polls are open. If the voting place is at such a distance that more than two (2) hours are required to vote, then sufficient time will be allowed. No employee shall be entitled to voting leave unless the voting time is scheduled with the supervisor before election day. Supervisors shall select the hours which an employee is granted to vote. The department/division may change the work hours to allow voting leave before the beginning of work or after work hours.

Voting leave shall not apply to an employee whose shift begins three (3) hours or more subsequent to poll opening or ends three (3) hours or more prior to poll closing. (Refer to Title 26, Oklahoma Statutes, Section 7-101.)

SECTION 710 - FAMILY AND MEDICAL LEAVE ACT

The Family and Medical Leave Act allows eligible employees to take up to twelve (12) weeks leave in a twelve (12) month period for reasons authorized by the Act. The Personnel Director shall administer the program. (Refer to the current FMLA PSB a05-2, as may be amended and Personnel Policy § 705.02.)

SECTION 711 - SICK LEAVE

711.01 *Eligibility* - Only a full-time employee shall receive sick leave benefits. A temporary, part-time and/or seasonal employee, or school crossing guard, is not eligible for sick leave benefits.

711.02 *Accrual* - Sick leave accrual shall begin with the initial date of the most recent employment, and shall end with an interruption of service or a change in the employee's status of eligibility for sick leave benefits. Sick leave shall accrue at the rate of five (5) hours per pay period. Maximum accrued sick leave shall be 2,000 hours.

711.03 *Accrual During Absence* - Sick leave shall not accrue during any leave exceeding two consecutive bi-weekly payroll periods including, but not limited to family and/or medical leave (FMLA), personal leave of absence, sick leave, injury leave, bereavement leave, special leave, administrative leave or vacation leave.

SECTION 712 - USE OF SICK LEAVE

712.01 An employee may use sick leave for a medical appointment, treatment or recovery from a non-job related illness or injury. Injuries connected with work in the City service shall not be charged against sick leave. No paid sick leave shall be allowed for an injury incurred while working in a compensated status for another employer.

In the event of sickness or injury to a member of an employee's immediate family (as defined under the Family and Medical Leave Act), which is serious enough to warrant the employee's presence, as certified by the attending physician, the employee shall be allowed to use his/her personal sick leave for the time period established by the physician up to a maximum of five (5) working days, unless such leave is FMLA approved.

712.02 An employee who uses three (3) or more consecutive days of sick leave may be required to provide the supervisor a physician's statement supporting the condition of illness upon return to work. Failure to present such a statement shall be cause for disciplinary action including termination. (Refer to Section 1203.08)

712.03 *Fitness for Duty* - Following any period of illness of three (3) or more consecutive days, the supervisor may require the employee to provide a physician's statement approving the employee's return to work and resumption of normal duties.

712.04 The Department Director or designee may require a physician's statement or investigate any sick leave use. Abuse of sick leave shall be grounds for disciplinary action, including termination. (Refer to Section 1203.08)

SECTION 713 - SICK LEAVE DONATION

An employee absent from work due to an approved FMLA qualifying condition may receive donated sick leave from other employees within the City of Oklahoma City, provided the employee has exhausted all accrued leave and compensatory time. Donated sick leave does not extend the twelve (12) week FMLA entitlement.

To donate sick leave, an employee must have a minimum sick leave balance of 130 hours (Refer to respective collective bargaining agreement for minimum leave balance). Donated sick leave will be on an hour for hour basis. The maximum amount of sick leave that can be donated to a single employee by any one employee shall be twenty-four (24) hours per FMLA twelve (12) month period.

The donated leave shall be used in the order it is donated. Should the injured or ill employee exhaust the twelve (12) week FMLA entitlement period, return to work, retire, or die with a balance of donated sick leave, the unused donated leave shall revert to the donating employee, in reverse order. Provided, however, that an employee who returns to work on a reduced schedule basis may continue to access any donated sick leave until the employee returns to full duty work.

SECTION 714 - SICK LEAVE PAYOUT

Payment for the sick leave balance is governed by the provisions set forth in Section 623.03 herein.

SECTION 715 - INJURY LEAVE

715.01 An employee injured on the job shall be provided medical treatment in accordance with the State of Oklahoma workers' compensation laws and workers' compensation procedures approved by the City Council. A full-time employee injured on the job shall continue to receive regular salary, or rate of pay during absence from work, in lieu of total temporary disability (TTD) not to exceed a period of one thousand forty-four hours (1,044). Court-ordered disability compensation shall not duplicate City earnings.

715.02 An employee shall report a work-related injury to their supervisor within twenty-four (24) hours of the injury. Failure to report or to follow workers' compensation procedures may be grounds for denying any resulting claim against the City. No job injury benefits will be granted without the filing of an official job injury report.

715.03 No injury leave shall be allowed for any injury incurred while working for another employer, nor shall an employee so injured receive treatment under the City's approved workers' compensation procedures.

715.04 The Risk Manager shall make denial determinations under the City's approved workers' compensation procedures.

SECTION 716 – ADMINISTRATIVE LEAVE

An employee may be placed on administrative leave, with or without pay, upon approval by the City Manager (or designee), Department Director (or designee) or Personnel Director (or designee) under the following circumstances:

- (a) During an investigation of an alleged improper act by an employee;
- (b) When retention of an employee in the workplace may be detrimental to the interests of the City or injurious to the employee, his/her fellow workers or the general public;
- (c) During a breakdown of essential facility services, such as heating, air conditioning, water or other problems wherein facilities must be closed and an employee is released early from work or not required to report to work;
- (d) During a period of equipment breakdown such that it is impossible for the employee to complete assigned tasks;
- (e) Absence authorized by law;
- (f) Any other instance authorized by the City Manager or designee.

SECTION 717 - INSURANCE BENEFITS

717.01 The City shall maintain a health care plan, group life insurance, and dental plan for full-time employees. Full-time employees may participate in flexible benefit plans.

717.02 An employee is responsible for notifying the Personnel Department, Benefits Division, in writing of any change in name, address, telephone number, marital status or status of any enrolled dependent within 30 days of the occurrence of the change.

717.03 Failure to notify the Personnel Department, Benefits Division, in writing of any change in marital status and/or change in dependent status, that results in the improper extension of health or welfare benefits, may result in disciplinary action and/or further legal action against the employee.

SECTION 718 - PENSIONS AND RETIREMENTS

Full-time employees will contribute to the retirement programs authorized by City ordinance, and state and federal law.

SECTION 719 - CITY-PROVIDED AUTOMOBILES

The City may provide the employee with a vehicle, reimbursement for the use of a personal vehicle, or reimbursement of public transportation expense when an employee travels on approved official business. (Refer to Article IV of the City Charter; and related Management Bulletins.)

SECTION 720 - EMPLOYEE ORGANIZATION

An employee may join labor or employee organizations of their choosing. Joining organizations or declining to join will not jeopardize employment. ■

ARTICLE 1200 SEPARATIONS AND DISCIPLINARY ACTIONS

SECTION 1201 - RESIGNATIONS

An employee may resign from municipal service by notifying the supervisor two (2) weeks prior to the effective date. The resignation shall be promptly forwarded to the Personnel Director. The Department Director may require such notice in writing. Such resignation may be withdrawn by the employee within three (3) working days of giving notice, but may not be withdrawn after three (3) working days of giving notice without the approval of the Department Director and the Personnel Director.

SECTION 1202 - DISCIPLINARY GUIDELINES

The Personnel Director with the approval of the City Manager may establish disciplinary guidelines by outlining appropriate practices and techniques of employee discipline and suggesting types of actions for disciplinary situations.

SECTION 1203 - CAUSE FOR DISCIPLINARY ACTION OR TERMINATION

Any action which reflects discredit upon the City of Oklahoma City is a direct hindrance to the effective performance of the municipal government function and shall be cause for discipline or termination.

Any discipline, including termination, given to employees covered by a collective bargaining agreement will be for cause. A department recommending termination of an employee must inform the employee of the reason(s) for termination and provide an opportunity to rebut any charges prior to taking final action.

Actions which may result in discipline or termination include, but are not limited to, those listed below:

1203.01 Violation of the Charter, Ordinances, administrative policy, rule, or regulation of the City, department, division, or work section.

1203.02 Failure to satisfactorily perform assigned work.

1203.03 Any conduct which is offensive, violates the common decency or morality of the community, or is unbecoming of a City employee.

1203.04 Insubordination or failure to follow the orders of one's supervisor(s).

1203.05 Unexcused absence, absence from work without permission, or failure to report any absence to the designated authority. (Refer to Section 619.01)

1203.06 Three (3) consecutive work days of unexcused absence is considered job abandonment and shall result in termination.

1203.07 Tardiness.

- 1203.08** Excessive use, abuse, misuse, or unauthorized use of vacation leave, sick leave, military leave, medical leave, injury leave, leave of absence, or other leave. (Refer to Sections 706.2, 712.02, and 712.04)
- 1203.09** Interference with the work of others, or inability to interact with others to the extent that work performance is impaired.
- 1203.10** The use of hostile or abusive language towards a fellow employee or the general public while performing official duties or while in uniform.
- 1203.11** Fighting, physical violence, verbal or physical intimidation, or interference with the rights or performance of any employee. Striking a supervisor is grounds for immediate termination. (Refer to Section 406)
- 1203.12** Reporting to work under the influence of intoxicants or illegal drugs, using such substances and/or being in possession of such substances while on duty, or while operating any City equipment. (Refer to Section 407)
- 1203.13** Lying to supervisors in connection with the job or job-related issues.
- 1203.14** Dishonesty, including but not limited to, intentionally giving false information, falsifying records, or making false statements, including applying for employment. (Refer to Section 204)
- 1203.15** Removal of City money, merchandise, or property, including property in custody of the City, without permission. This includes removal of City property from any recycle or disposal bin(s)/container(s)/area(s).
- 1203.16** Inducing or attempting to induce an employee to commit an illegal act, violate any official regulation or order, or participate therein.
- 1203.17** Accepting bribe(s). (Refer to Section 304)
- 1203.18** Soliciting or accepting fees, gifts, or other valuable items in the performance of official duties for the City. (Refer to Section 304)
- 1203.19** Conviction of a felony or misdemeanor other than a minor traffic violation. (Refer to Section 1205.02)
- 1203.20** Negligent or willful damage to, or waste of material, property, or work time.
- 1203.21** Failure to follow any safety policy, rule or regulation, or any conduct that would place the employee, fellow employee, or citizen at unnecessary risk. (Refer to Section 404)
- 1203.22** Any action which would result in an unfair advantage in an examination or promotion procedure. (Refer to Section 802)
- 1203.23** Discriminating against an employee because of religion, age, sex, race, color, national origin, or disability, or retaliating against an employee for filing a discrimination complaint or testifying before an administrative hearing. (Refer to Section 401)

1203.24 Participating in, advocating, inducing, coercing, or encouraging others to participate in any strike, walkout, resignation, unauthorized absence, work stoppage, or any picket, boycott of, or interference with municipal services, facilities, or operations. (Refer to Section 1501.02)

1203.25 Failure to pay fines or post bonds on Oklahoma City Municipal citations by due date.

1203.26 Filing for City elective office, or serving as an officer of the State or any political subdivision. (Refer to Section 302)

1203.27 Any fraudulent act. (Refer to Section 308)

1203.28 Any act of retaliation against employees reporting suspected fraud, improper action or other illegal act.

1203.29 Any other activity which is not compatible with good public service.

1203.30 Any behavior, action, or inaction the City Manager determines is not in the best interest of the City.

1203.31 Failure to follow the City's Purchasing Policies and Procedures including misuse of the City's Purchasing Card Program.

1203.32 Failure to follow the City's Policies and Procedures for the Disposal of Surplus Property.

1203.32 Any act of retaliation against employees filing a complaint and/or participating in an authorized personnel, finance, legal, audit and/or police investigation.

1203.33 Any breach of confidentiality.

1203.34 Intentionally altering any system or software with erroneous or false information.

1203.35 Improper use of the City's computer networks and internet access.

SECTION 1204 - REPRIMAND

A Department Director may reprimand an employee for cause. A formal reprimand shall be in writing and addressed to the employee. A signed copy shall be delivered to the Personnel Department for inclusion in the employee's personnel file. The employee may file a letter of response which shall be attached to the reprimand in the personnel file. An employee may request the removal of a reprimand two (2) years from the date of issue, except as determined by collective bargaining agreement or established department or division policy.

SECTION 1205 - SUSPENSION

1205.01 *Suspension* - An employee may be suspended without pay for cause. Such suspension shall be in writing with a copy given to the employee. As a general rule, a suspension for disciplinary purposes shall be less than two biweekly pay periods unless the employee is suspended pending investigation, trial or if a termination case is reduced to a long suspension. A

suspension for non-disciplinary purposes may be classified as administrative leave when deemed for the good of the City.

1205.02 *Summary Suspension* - An employee may be immediately suspended when necessary for the good of the service. A hearing will be scheduled within three (3) days to determine if the suspension is to be with or without pay.

1205.03 *Administrative Suspension Pending Trial* - If an employee is formally charged with a felony or misdemeanor other than a minor traffic violation, the employee may be suspended without pay pending final disposition.

- (a) If an employee is found guilty of or pleads guilty to a felony, the employee must be terminated from the municipal service and if suspended without pay, shall not be paid for the period of suspension.
- (b) If an employee is found guilty of or pleads guilty to a misdemeanor, the employee may be terminated. If the employee was suspended without pay and is reinstated, the employee shall not be paid for the period of suspension.
- (c) If an employee pleads no contest to a felony or misdemeanor, the employee may be terminated. If the employee was suspended without pay and is reinstated, the employee shall not be paid for the period of suspension.
- (d) If an employee is found not guilty and is released by the court, the employee may be reinstated without loss of pay or benefits in the former position, or an equivalent classification.

Prior to the final disposition of charges, the City Manager may authorize any action of reinstatement, transfer, demotion, or termination of the employee which is determined to be for the good of the service. (Refer to Article IV, Sections 3 and 4 of the City Charter)

SECTION 1206 - DEMOTION

1206.01 *Involuntary Demotion* - A Department Director may demote an employee for cause. The employee shall be given written notice of the reason(s) for any such action. A demotion may be made as a disciplinary action if the employee is qualified for a lower classification and a position is available. An involuntary demotion will require a reduction in pay and a new pay review date.

1206.02 *Voluntary Demotion* - A voluntary demotion may be granted if the employee is performing satisfactorily, qualified for a lower classification, and a position is available. (Refer to Step Placement Policy)

When the voluntary demotion is requested during the first year of a promotion, the employee may be returned to his/her previous classification and paid at the previous rate of pay. Any merit increases the employee would have been eligible for had he/she not accepted the promotion must be taken into consideration.

SECTION 1207 - REDUCTION IN FORCE/LAYOFF

1207.01 The Personnel Director will establish guidelines for reduction in force, including a detailed order of layoffs and appropriate criteria for determining such order. Procedures for employees covered by a collective bargaining agreement shall be in accordance with the applicable bargaining unit agreements. Procedures for employees of the Municipal Counselor's Office and the City Auditor's Office are addressed in Section 1207.02

1207.02 The Municipal Counselor and the City Auditor will be responsible for determining the necessity for and establishing guidelines for reduction in force in their respective departments, including a detailed order of layoffs and appropriate criteria for determining such order. ■